

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18697 of 2017

Arising Out of PS.Case No. -9 Year- 2014 Thana -LALGANJ District- VAISHALI(HAJIPUR)

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1. Kanhai Kumar @ Kanhai Sah, Son of Krishna Sah, Resident of Village-
Thikha Mathiya, P.S.- Vaishali District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar

For the Opposite Party/s : Mr. Sri Harendra Prasad

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 11-05-2017 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Lalganj
P.S. Case No. 09 of 2014 registered for the offence punishable
under Section 392 of the Indian Penal Code.

The petitioner is not named in the First Information
Report but during investigation his name has transpired in
confessional statement of co-accused.

Submission is of false implication and except
confessional statement, there is no other legal material against the
petitioner and the petitioner is suffering in custody since
22.12.2016. Nothing has been recovered from possession of the
petitioner. Similarly situated co-accused Mukesh Kumar Mishra



and Ved Prakash Shukala have been allowed bail in Criminal Miscellaneous Nos. 37099/14 and 37535/14 respectively by another co-ordinate Bench of this Court and, as such, the petitioner also deserves sympathetic consideration.

The learned A.P.P. submits that other co-accused persons have been allowed bail.

In the facts and circumstances stated above, the above named petitioner is also directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Vaishali at Hajipur in connection with Lalganj P.S. Case No. 09 of 2014 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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